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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,150	05/14/2001	Erhard Jung	P6313.8US	2521
30008	7590	03/15/2004	EXAMINER	
GUDRUN E. HUCKETT LONSSTR. 53 WUPPERTAL, 42289 GERMANY			CHAN, SING P	
			ART UNIT	PAPER NUMBER
			1734	

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

AS

Office Action Summary	Application No. 09/858,150	Applicant(s) JUNG, ERHARD	
	Examiner Sing P Chan	Art Unit 1734	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on ____.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 61-114 is/are pending in the application.

4a) Of the above claim(s) 65-69, 103-106 and 109-114 is/are withdrawn from consideration.

5) ☒ Claim(s) 81-99 is/are allowed.

6) ☒ Claim(s) 61-64, 70-80, 100-102, 107 and 108 is/are rejected.

7) ☐ Claim(s) ____ is/are objected to.

8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 14 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some * c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. ____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____.	6) <input type="checkbox"/> Other: ____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 1-04)

Office Action Summary

Part of Paper No./Mail Date 2252004

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 61-64, 73-77, 100-102, and 108 are rejected under 35 U.S.C. 102(b) as being anticipated by Pesch (U.S. 4,289,467).

Regarding claims 61 and 63, Pesch discloses an apparatus for pressing mats of pressable material to form particleboard. The apparatus includes brackets and pedestal mounted to bearing cylinders and main cylinders, which are controlled by a strain gauge system to apply power to the main cylinders independently from the bearing cylinders to ensure parallel compression, which is considered capable of pressing and bonding pieces of wood arranged in a common plane. (Col 7, line 18 to Col 8, line 11)

Regarding claim 62, pressing plates as disclosed by Pesch is considered to extend parallel to the pieces of wood, when it is used to bond pieces of wood. (Figure 1)

Regarding claim 64, Pesch discloses the apparatus includes heating element in the pressing plates, movable in a direction transversely to the board. (Col 7, lines 26-51)

Regarding claim 73, Pesch discloses the press plates with the heating elements are mounted onto beams or supports. (Col 7, lines 20-25)

Regarding claim 74, Pesch discloses an apparatus for pressing mats of pressable material to form particleboard. The apparatus includes brackets and pedestal mounted to bearing cylinders and main cylinders, which are controlled by a strain gauge system to apply power to the main cylinders independently from the bearing cylinders to ensure parallel compression, the press plates can be heated such as for example by electrical means of a fluid system, which are movable up and down transversely to the feeding direction and mounted to beams or supports. (Col 7, line 18 to Col 8, line 11)

Regarding claims 75 and 76, Pesch discloses piston-cylinder units are used to apply pressure to the pressing member with bracket and pedestal as coupling members, which position the coupling member on the outlet side of the pressing member. (Col 7, lines 18-31)

Regarding claim 77, Pesch discloses the coupling members are movable to limited extent relative to the support as the platen is moved up and down. (Col 7, lines 20-51)

Regarding claim 100, Pesch discloses a lower press plate mounted on the press bed, which is a support for the board. (Col 7, lines 11-26 and lines 46-51)

Regarding claims 80 and 108, Pesch discloses the lower press plate includes heating elements and is considered to be capable of receiving tensile forces in the feeding direction. (Col 7, lines 40-45)

Regarding claims 101 and 102, Pesch as modified above discloses platens, which are heated. (Col 7, lines 21-50)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 70-72, 78, 79, and 107 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pesch (U.S. 4,289,467) as applied to claim 61 above, and further in view of Onsrud (U.S. 2,593,691).

Regarding claims 70-72, Pesch as disclosed above is silent as to the heating elements are electrodes. However, using electrodes as heating element to cure or set adhesive in a wood gluing machine is well known and conventional as shown for example by Onsrud. Onsrud discloses aluminum strips, which act as electrodes for radio frequency to product heat mounted in a parallel to one another to a common support. (Col 4, lines 7-39 and Col 7, lines 15-30)

It would have been obvious to one skilled in the art at the time the invention was made to provide electrodes as the heating elements as disclosed by Onsrud to provide a fast and efficient means of curing or setting adhesive without endangering the user.

Regarding claims 78 and 79, Pesch as modified above discloses the platen is mounted on beams, i.e. pressing members, which is considered to extend across area of the two adjacently positioned heating element and are positioned at the outlet side of the pressing device. (Col 7, lines 17-25 and Figures 1-3)

Regarding claim 107, Pesch as disclosed above is silent as to the support parts are electrodes. However, using electrodes as heating element mounted onto the support parts to cure or set adhesive in a wood gluing machine is well known and conventional as shown for example by Onsrud. Onsrud discloses aluminum strips, which act as electrodes for radio frequency to product heat mounted in a parallel to one another to a common support. (Col 4, lines 7-39 and Col 7, lines 15-30)

It would have been obvious to one skilled in the art at the time the invention was made to provide electrodes as the heating elements as disclosed by Onsrud to provide a fast and efficient means of curing or setting adhesive without endangering the user.

Allowable Subject Matter

5. Claims 81-99 are allowed.
6. The following is an examiner's statement of reasons for allowance: The claims recite an apparatus for joining lamellar pieces of wood to a broad.

The apparatus includes clamping and pressing platens with two connecting plates as support for the heating elements and pressing members with noses positioned in the front of the heating element at the inlet of the clamping and pressing device, and a pressing slide to apply pressing force onto the pieces of wood of the broad. Onsrud discloses an apparatus for laminating pieces of wood using RF energy. The apparatus includes clamping and pressing devices with heating elements with electrodes to produce the radio frequency for the heat generation. (Col 2, lines 29-51) The clamping and pressing device also includes air cylinders to move the clamping and pressing device. (Col 5, lines 29-61) Onsrud does not disclose the clamping and pressing

device includes two connecting plates as support for the heating elements and pressing member with noses positioned in the front of the heating element at the inlet of the clamping and pressing device and pressing slide configured to apply a pressing force onto the pieces of wood of the board. Cranston, Jr. et al discloses an apparatus for bonding wood veneers to form plywood. The machine includes upper and lower platens press, pneumatic diaphragm units as drive units, and platen plates, i.e. pressing members, on the platen press, which the pneumatic diaphragm units can load independently of one another against the board or laminate with a pressure force, (Col 3, line 51 to Col 4, line 54) pressing members, i.e. pressing plates extend parallel to the wood and transversely to the feed direction of the laminate, (Figure 6) pneumatic diaphragm units as driving units, which comprise of a rigid housing, i.e. a cylinder, and a strut, i.e. a piston, which is considered to satisfy the requirement of a piston-cylinder unit, (Col 4, lines 32-45) electrode heating elements in the press, in the pressing member and movable in a transverse direction to the laminate and (Col 4, lines 21-31) extend parallel to one other, and (Figure 6) extending in the feed direction of the laminate or board. (Figure 6) Cranston, Jr. et al does not disclose pressing member with noses positioned in the front of the heating element at the inlet of the clamping and pressing device and pressing slide configured to apply a pressing force onto the pieces of wood of the board. A search of the prior art of record did not disclose reference or references in combination with the recited features.

Response to Arguments

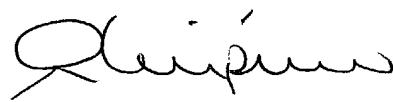
7. Applicant's arguments with respect to claims 61-64, 70-80, 100-102, and 107-108 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sing P Chan whose telephone number is 571-272-1225. The examiner can normally be reached on Monday-Friday 7:30AM-11:15AM and 12:15PM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard D Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


spc


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